

Notice of Allowability

Application No.

10/776,766

Examiner

Jared W. Newton

Applicant(s)

KNORRING ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendments filed May 10, 2006.
2. ☒ The allowed claim(s) is/are 2-7, 12-15, 18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeremy R. Kriegel on July 12, 2006.

The application has been amended as follows:

Claim 18 has been replaced with the following:

18. A method of converting a flat shelf of a of a gondola shelving unit into a gravity feed shelf comprising:

 piercing and forming a plurality of pairs of columns of tabs on an inclined sheet, wherein the tabs in one of each of the pairs of columns extend sideways, in an opposite direction from the tabs of the other column of said pair of columns, such that the tabs extend upwardly from the sheet, and adapting the tabs such that the tabs form channels to receive one of a group of an array of track members, wherein the tabs of one of the columns are staggered from the tabs of another of the columns;

 securing to said plurality of tabs one of the group of an array of track members each having an upper elongated bearing surface thereon and an array of rollers, wherein each of the roller track members is generally C-shaped in cross-section and includes an upper elongated surface having a plurality of roller-receiving apertures therein, a pair of side support legs extending downwardly from the upper elongated

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surface, inwardly-directed feet extending from each of the side support legs and adapted to be received in the channels formed by the columns of tabs extending from the inclined sheet, and a plurality of axle-receiving holes along each of the side support legs, each of the axle-receiving holes along one of the side legs being aligned with one of the axle-receiving holes along the other side support leg;

the array of rollers each including an axle received in a pair of the axle-receiving holes in the side support legs of the roller track members;

forming a downwardly-extending, generally vertical leg along the rear of the inclined sheet;

securing a forwardly extending stop member to said downwardly-extending leg a predetermined distance below the rear of the inclined sheet;

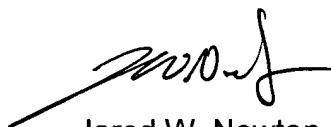
and placing the stop member on a rear end of a flat shelf and placing the front of the inclined sheet on said flat shelf whereby the rear of the inclined sheet is raised off the flat shelf by a distance corresponding to the predetermined distance between the stop member and the rear of the inclined sheet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared W. Newton whose telephone number is (571) 272-2952. The examiner can normally be reached on M-F 8-5.

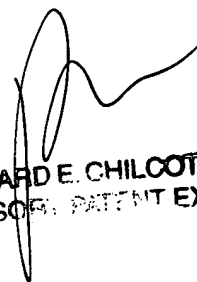
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jared W. Newton
July 21, 2006
JWN



RICHARD E. CHILCOT, JR.
SUPERVISOR, PATENT EXAMINER